

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

TAMARA WAREKA a/k/a
TAMARA WILLIAMS,

Plaintiff,

v.

LENOX AESTHETICS INC. and DOES
1-10, inclusive,

Defendants.

Case No. 1:22-cv-06213-JPO

DEFAULT JUDGMENT

**DEFAULT JUDGMENT AGAINST DEFENDANT
LENOX AESTHETICS INC.**

This matter comes before the Court on Plaintiff TAMARA WAREKA a/k/a TAMARA WILLIAMS' ("Plaintiff") motion for the entry of default judgment against Defendant LENOX AESTHETICS INC. ("Defendant"), including permanent injunctive relief, statutory damages, and costs, pursuant to Federal Rule of Civil Procedure 55(b)(2) and Local Civil Rule 55.2(b).

Having been properly served and having failed to timely answer or otherwise appear to defend against the claims and allegations in the Complaint, the Clerk of the Court for the Southern District of New York entered a Certificate of Default against Defendant on September 22, 2022 [Doc. 18.]

Having considered all matters of record, and the arguments and evidence shown, together with any responses and replies submitted, and the applicable legal authorities, it is hereby

ORDERED, ADJUDGED, AND DECREED that the Plaintiff's motion is GRANTED in all respects. It is further

ORDERED, ADJUGED, AND DECREED that default judgment is hereby rendered in favor of the Plaintiff and against Defendant in the amount of \$23,700.00 (the “Judgment Amount”), plus post-judgment interest pursuant to 28 U.S.C. § 1961. It is further

ORDERED, ADJUGED, AND DECREED that costs are hereby awarded to Plaintiff and against Defendant in the amount of \$537.00. It is further

ORDERED, ADJUDGED, AND DECREED that Defendant LENOX AESTHETICS INC. — including its officers, agents, servants, employees, and all persons acting under its permission and authority—is hereby enjoined and shall immediately cease all further use or display of Plaintiff’s Copyrighted Meier Photograph (as referenced in the Complaint filed in this action) on the Defendant’s Instagram page at https://www.instagram.com/lenox_esthetics/, on any other social media website(s), or on any website(s) on the World Wide Web which Defendant owns, operates, or otherwise has control over, or in any other manner on or off the internet, unless and until Defendant has received a license or other express consent from Plaintiff or Plaintiff’s assignee. It is further

ORDERED, ADJUDGED, AND DECREED that the Court shall retain jurisdiction of this matter for the purposes of enforcing the terms of this judgment.

There being no just reason for delay in the entry of default, the Court hereby directs the Clerk to enter judgment for Plaintiff and against Defendant consistent with this order and pursuant to Rule 55(b)(2) of the Federal Rules of Civil Procedure.

SO ORDERED.

Plaintiff's counsel is directed to file an affidavit or declaration setting forth the amount of attorney's fees sought and the basis for the fee calculation within 30 days of this order, per its submission at ECF No. 21, page 17.


J. PAUL OETKEN
United States District Judge

4/25/2023